

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

IN RE:

JAMES E. CARR

Debtor.

CASE NO: 09-05214-JW

CHAPTER: 7

TO: All Creditors and Parties in Interest

**NOTICE AND APPLICATION FOR SALE OF PROPERTY
FREE AND CLEAR OF LIENS**

YOU ARE HEREBY NOTIFIED that MICHELLE L. VIEIRA, Trustee, is applying for approval to sell the property of the debtor's estate described below, free and clear of liens and encumbrances with all valid liens to attach to the proceeds of sale, according to the terms and conditions stated below. A copy of the proposed Order accompanies this Notice.

TAKE FURTHER NOTICE that any response, return, and/or objection to this application, should be filed with the Court no later than Twenty-One Days (21) days from service of the application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on **June 24, 2010 at 1:30 p.m., at The United States Bankruptcy Court, 1100 Laurel Street, Columbia, SC 29201, .** No further notice of this hearing will be given.

TYPE OF SALE: Public Auction

PROPERTY TO BE SOLD: Firearms: 12 gauge double barrel shotgun; 2 barrel 20 gauge Stevens shotgun; Ithaca 12 gauge pump shotgun; 44 Ruger redhawk pistol

PLACE AND TIME OF SALE: **June 22, 2010 at 7:00 P.M.
Chesterfield Rescue Squad Building
105 Cotton Street
Chesterfield, South Carolina**

SALES AGENT/AUCTIONEER/BROKER: Bob Robeson

PRICE AND TERMS: *Prices for all items listed above to be determined by highest bid at auction.

*Only cash funds will be accepted.

*Any and all purchased property must be removed from the auction site by the end of the day of the Auction.

APPRAISAL VALUE: Scheduled value is \$500.00

BUYER: The buyer of each item listed will be the person entering the highest bid.

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER/ETC.: Fifteen (15%) Percent of the first \$20,000.00; Twelve and One-Half Percent of the next \$20,000.00 and Ten Percent of the remainder of the Gross Sales Proceeds.

ESTIMATED TRUSTEE'S COMPENSATION: \$125.00 based on estimated Total Auction Proceeds

LIENS/MORTGAGES/SECURITY INTERESTS ENCUMBERING PROPERTY: None

DEBTOR'S EXEMPTION: None

PROCEEDS ESTIMATED TO BE PAID TO ESTATE: \$500.00

Applicant is informed and believes that it would be in the best interest of the estate to sell said property by Public Auction. Applicant also believes that the funds to be recovered for the estate from the sale of said property justify its sale and the filing of this application.

The Court may consider additional offers at any hearing held on this notice and application for sale. The Court may order at any hearing that the property be sold to another party on equivalent or more favorable terms.

The trustee may seek appropriate sanctions or other similar relief against any party filing a spurious objection to this notice and application.

WHEREFORE, applicant requests the Court issue its Order:

- A. Authorizing sale of said property free and clear of liens;
- B. Authorizing Auctioneer to retain its fee of Fifteen (15%) Percent of the first \$20,000.00; Twelve and One-Half Percent of the next \$20,000.00 and Ten Percent of the remainder of the Gross Sales Proceeds.
- C. For such other and further relief as may be proper.

Date: May 18, 2010

/s/ MICHELLE L. VIEIRA
MICHELLE L. VIEIRA, Trustee
District Court ID #9876
P O BOX 70309
MYRTLE BEACH SC 29572
(843) 497-9800 Phone
(843) 497-9881 Fax
email: michellelvieira@msn.com

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

IN RE:

JAMES E. CARR

Debtors.

Case # 09-05214-JW

Chapter 7

CERTIFICATE OF SERVICE

The undersigned, Elaine MacMillan, hereby states that she mailed the within **Notice And Application For Sale Of Property Free and Clear of Liens** to the parties as shown in the attachment hereto either electronically where appropriate or by depositing the same in the U.S. Post Office, postage prepaid, at Myrtle Beach, South Carolina, where there is regular communication by mail, and that same was mailed on **May 18, 2010**.

/s/ Elaine MacMillan
Elaine MacMillan, Assistant
Office of MICHELLE L. VIEIRA, Trustee
P O BOX 70309
MYRTLE BEACH SC 29572
Phone: (843) 497-9800
Fax: (843) 497-9881
Email: emac726@hotmail.com

Label Matrix for local noticing
0420-3
Case 09-05214-jw
District of South Carolina
Columbia
Fri May 14 12:39:02 EDT 2010

AMERICAN EXPRESS
PO BOX 981535
EL PASO TX 79998-1535

BAC HOME LOAN SERVICING, L.P.
7105 Corporate Drive
Plano, TX 75024-4100

CAPITAL ONE
PO BOX 30273
SALT LAKE CITY UT 84130-0273

James E. Carr
PO Box 838
Chapin, SC 29036-0838

GROUP FINANCIAL SERVICES
PO BOX 1224
LITTLE FALLS NJ 07424-8224

R. Geoffrey Levy
2300 Wayne Street
Columbia, SC 29201-2057

Recovery Management Systems Corporation
25 SE Second Avenue
Suite 1120
Miami, FL 33131-1605

SC DEPT OF REVENUE & TAXATION
PO BOX 12265
COLUMBIA SC 29211-2265

South Carolina Employment Security Commissio
Legal Dept.
Post Office Box 995
Columbia, SC 29202-0995

(p)ADVANTA
700 DRESHER RD
HORSHAM PA 19044-2206

American Express Bank FSB
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

BANK OF AMERICA
PO BOX 15027
WILMINGTON DE 19850-5027

CAPITAL ONE
PO BOX 30285
SALT LAKE CITY UT 84130-0285

FIA CARD SERVICES, NA/BANK OF AMERICA
BY AMERICAN INFOSOURCE LP AS ITS AGENT
PO Box 248809
Oklahoma City, OK 73124-8809

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 21126
PHILADELPHIA PA 19114-0326

NORTHERN LEASING SYSTEMS INC
132 WEST 31ST STREET
14TH FLOOR
NEW YORK NY 10001-3405

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

SC EMPLOYMENT SEC COMMISSION
PO BOX 995
COLUMBIA SC 29202-0995

US Trustee
Strom Thurmond Federal Bldg
1835 Assembly Street
Suite 953
Columbia, SC 29201-2448

ALLEGACY FEDERAL CREDIT UNION
PO BOX 26043
WINSTON SALEM NC 27114-6043

BAC HOME LOAN SERVICING LP
7105 CORPORATE DRIVE
PLANO TX 75024-4100

BANK OF AMERICA
PO BOX 533512
ATLANTA GA 30353-3512

CAPITAL ONE BANK (USA), N.A.
C/O TSYS DEBT MANAGEMENT (TDM)
PO BOX 5155
NORCROSS, GA 30091-5155

GM CARD
PO BOX 80082
SALINAS CA 93912-0082

LEXINGTON COUNTY TREASURER
212 S LAKE DRIVE
LEXINGTON SC 29072-3499

REGIONS BANK FIA CARD SERVICES
PO BOX 15026
WILMINGTON DE 19886-5026

Recovery Management Systems Corporation
For Capital Recovery III LLC
As Assignee of CAPITAL ONE INSTALLMENT
25 SE 2nd Avenue Suite 1120
Miami FL 33131-1605

SOVEREIGN BANK
PO BOX 16255
READING PA 19612-6255

Michelle L. Vieira
PO Box 70309
Myrtle Beach, SC 29572-0024

WEBSTER VET SUPPLY
86 LEOMINSTER ROAD
STERLING MA 01564-2198

WILLIAM B. JETER
PO BOX 310
UNION SC 29379-0310

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

ADVANTA BANK CORP
PO BOX 8088
PHILADELPHIA PA 19101-8088

(d)Advanta Bank Corp
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPER
PO BOX 21126
PHILADELPHIA PA 19114

End of Label Matrix
Mailable recipients 31
Bypassed recipients 0
Total 31